

By statute certain special categories of sensitive information-- Restricted Data (42 U.S.C.A. 2162), Communication Intelligence (18 U.S.C.A. 798), and Intelligence Sources and Methods (50 U.S.C.A. 403(d)(3) and g) must be given special protection from unauthorized disclosure. These categories of information have been exempted from public inspection under Section 552(b)(3), "specifically exempted from disclosure by statute," and (b)(1), "specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy." The Committee believes that these categories of information will be adequately protected under S. 2543. If such information is ever subject to court review, the review will be conducted in camera under the procedures established in the bill for information exempt under Section 552(b)(1). It is also expected that in such cases the court will recognize that such information is inherently sensitive and that the latitude for discretion permitted under Executive Order 11652 does not apply to such information.

MEMORANDUM FOR: S. 2543

Proposed legislative history language  
for report.

14 May 1974

cc: 

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(DATE)